

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA

2007 JAN 29 A 10:10

GA. NO. 479955  
ALONZO MOREFIELD, JR. AIS 237882 )

Full name and prison number of  
plaintiff(s) )

v. )

KATHY HOLT, INDIVIDUALLY )

AND IN OFFICIAL CAPACITY )

ACTING UNDER COLOR OF )

STATE LAW. )

Name of person(s) who violated  
your constitutional rights. )

(List the names of all the persons) )

LEERA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

CIVIL ACTION NO. 2:07 cv 80 - mtt  
(To be supplied by the Clerk of the  
U.S. District Court)

DEMAND FOR JURY TRIAL

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? Yes ( ) No (X)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? Yes (X) No ( )
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiff(s) ALONZO MOREFIELD, JR.

Defendant(s) CALVIN J. BROWN

2. Court (if federal court, name the district; if state court, name the county)

U.S. DISTRICT COURT FOR NORTHERN DISTRICT  
OF GEORGIA

3. Docket No. UNASSIGNED AT DATE OF THIS FILING

4. Name of Judge to whom case was assigned UNASSIGNED AS OF THIS DATE.

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) Pending

6. Approximate date of filing lawsuit December 7, 2006

7. Approximate date of disposition N/A - Pending

II. PLACE OF PRESENT CONFINEMENT GEORGIA STATE PRISON,  
300 1ST AVE, REIDSVILLE, GA. 30453

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED Alabama  
Dept. of Corrections HEADQUARTERS, MONTGOMERY, AL.

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

	NAME	ADDRESS
1.	KATHY HOLT - Employee, Alabama	Dept. of Corrections, P.O. Box 301501, MONTGOMERY, AL. 36130-1501
2.		
3.		
4.		
5.		
6.		

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED June 20, 2005  
AND ON-GOING AS OF DATE OF THIS FILING

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: SEE ATTACHED MEMORANDUM

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place, manner, and person involved).

SEE ATTACHED MEMORANDUM

GROUND TWO: SEE ATTACHED MEMORANDUM FOR  
ALL CLAIMS

SUPPORTING FACTS: \_\_\_\_\_

GROUND THREE: \_\_\_\_\_

SUPPORTING FACTS: \_\_\_\_\_

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

SEE ATTACHED MEMORANDUM

A. Morefield Jr.  
Signature of plaintiff(s)  
ALONZO MOREFIELD, JR.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on 25, JANUARY, 2007.  
(date)

A. Morefield Jr.  
Signature of plaintiff(s)  
ALONZO MOREFIELD, JR.

MEMORANDUM

2:07-cv-80-AMT

JURISDICTION

PLAINTIFF ALONZO MOREFIELD, JR., IS CURRENTLY INCARCERATED AT GEORGIA STATE PRISON (GSP) IN REIDSVILLE, GEORGIA. DEFENDANT KATHY HOLT, ACTING UNDER COLOR OF STATE LAW IS SUED IN HER INDIVIDUAL AND OFFICIAL CAPACITY. DEFENDANT HOLT IS A EMPLOYEE WITH ALABAMA DEPARTMENT OF CORRECTIONS LOCATED IN MONTGOMERY ALABAMA INVOKING THE JURISDICTION OF U.S. DISTRICT COURT, MIDDLE DISTRICT OF ALABAMA.

FACTS

ON NOVEMBER 16, 2004, PLAINTIFF WAS SENTENCED IN CIRCUIT COURT COURT OF MONTGOMERY COUNTY ALABAMA TO A TWENTY (20) YEAR SENTENCE SPLIT TO SERVE FIVE (5) YEARS OF INCARCERATION WITH THREE YEARS OF PROBATION TO RUN CONCURRENT WITH ANY SENTENCE PLAINTIFF IS CURRENTLY SERVING IN GEORGIA. SEE CASE NO. CC-04-1043, 1044, 1045. PLAINTIFF IS SERVING A TWENTY (20) YEAR TERM OF INCARCERATION IN GEORGIA HIS RELEASE DATE IS OCTOBER 7, 2020. THE FIVE YEAR ALABAMA TERM OF IMPRISONMENT IS DUE TO EXPIRE IN JULY 2009. ALABAMA SENTENCE WILL BE OFF SET DUE TO THE LENGTHY GEORGIA SENTENCE.

ON JUNE 20, 2005, DEFENDANT REQUESTED GEORGIA DEPARTMENT OF CORRECTIONS (GDC) TO PLACE A ACTIVE DETAINER ON PLAINTIFF. THE DETAINER IS MOOT BECAUSE THE ALABAMA SENTENCE WILL EXPIRE EFFECTS PLAINTIFF'S ABILITY TO PROGRAM AND HIS SECURITY WITH THE GDC. PLAINTIFF HAS SENT NOTIFICATION TO KATHY HOLT INFORMING HER OF HARM SAID DETAINER IS DOING AND PLAINTIFF IS NOT ELIGIBLE FOR ANY EARLY RELEASE THUS THIS DETAINER SERVES NO EFFECT OTHER THAN HARM TO PLAINTIFF. ALL LETTERS TO DEFENDANT WENT UNANSWERED.

CLAIMS FOR RELIEF:

DEFENDANT HOLT HAS VIOLATED PLAINTIFFS U.S. CONSTITUTIONAL RIGHTS AS FOLLOWS; 5TH AMENDMENT DOUBLE JEOPARDY, 5TH AMENDMENT DUE PROCESS OF LAW, 8TH AMENDMENT EXCESSIVE PUNISHMENT, 14TH AMENDMENT, DUE PROCESS EQUAL PROTECTION.

RELIEF REQUESTED:

1. PLAINTIFF SEEKS DAMAGES AND PRELIMINARY INJUNCTION INJUNCTION INSTRUCTING ALABAMA DEPARTMENT OF CORRECTIONS TO TERMINATE SAID DETAINER UNTIL ADJUDICATION OF THIS CASE IS COMPLETE.
2. PLAINTIFF SEEKS MONETARY DAMAGES, COMPENSATION FOR ATTORNEY FEES. PENDING A RULING BY THIS COURT ON PLAINTIFFS MOTION FOR APPOINTMENT OF COUNSEL. PLAINTIFF IS PRO SE AND HAS DONE ALL LEGAL WORK, RESEARCH, AND FILINGS TO DATE IN THIS CASE. PLAINTIFF REQUEST TO RECOUP DAMAGES IN THE REASONABLE AMOUNT OF 75.00 PER HOUR, EVERY HOUR SPENT WORKING ON THIS CASE. THE NUMBER OF HOURS SPENT ON THIS CASE WILL BE LISTED IN A SEPARATE FILING UPON THE COURTS REQUEST.

3. PLAINTIFF seeks COMPENSATORY DAMAGES FOR THE INTENTIONAL AND BLATANT HARM CAUSED BY THE DEFENDANT ALONG WITH MENTAL ANGUISH. THE AMOUNT OF THE COMPENSATORY DAMAGES ARE TO BE ASSESSED BY THE COURT OR JURY AFTER EVALUATING THE CONSTITUTIONAL VIOLATIONS BY DEFENDANT KATHY HOLT.

### PUNITIVE DAMAGES

GIVEN THE CONSTITUTIONAL VIOLATIONS BY DEFENDANT, PLAINTIFF seeks PUNITIVE DAMAGES. MS. HOLT ACTED WITH MALICE FORETHOUGHT, ILL WILL WITH THE INTENT TO INJURE PLAINTIFF AND INDIFFERENCE. PUNITIVE DAMAGES AGAINST DEFENDANT ARE PROPER AND SOUGHT IN THE AMOUNT OF 15,000.00.

RELIEF IS SOUGHT THROUGH U.S. DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA WHO HAS JURISDICTION OVER THE EQUITABLE RELIEF SOUGHT HEREIN.

2:07cv80-MHT

C E R T I F I C A T E      O F      S E R V I C E

This is to certify that I have this day served the opposing party(ies) to this action with a true and correct copy of the within and foregoing Copy of 42 USC 1983 Complaint AND  
3 ATTACHED MOTIONS by placing  
a copy of same in the United States Mail, with adequate postage thereon to ensure prompt delivery, and addressing it to:

ALABAMA DEPARTMENT OF CORRECTIONS  
ATTN: KATHY HOLT  
POST OFFICE BOX 301501  
1400 HOXD STREET  
MONTGOMERY, AL. 36130-1501

This 25<sup>th</sup> day of JANUARY, 2007.

A. Morefield Jr  
ALONZO MOREFIELD, JR Pro se

Ahonso MOREFIELD, Jr 479955  
GEORGIA STATE PRISON  
2164 GEORGIA HIGHWAY 147  
REIDSVILLE, GA. 30449



DEBRA R. HACKETT, Clerk  
U.S. DISTRICT COURT, MIDDLE DISTRICT  
OF ALABAMA NORTHERN DIVISION  
Post office Box 711  
MONTGOMERY, AL. 36101-0711

LEGAL  
MAIL

Enclosed Filing sent to Prison  
MAIL ROOM FOR SAME-DAY  
MAIL OUT on 1-25-07. Check  
Post mark to ensure Prison staff  
compliance.